

EXHIBIT U



Performance Management Program
Year: 2014 H1

MCHA Mission

We foster communication and community among MCHC companies.

Through partnership, we provide professional services that align with MCHC standards and policies, contribute to the performance of the MCHC Group and enhance KAITEKI value.

We will achieve our mission through a commitment to ethics, professionalism, and service.

Employee Name:	Jennifer S. Fischman	Employee Title:	Assistant General Counsel
Manager Name:	Donna Costa	Manager Title:	EVP, General Counsel
Review Date:	November 20, 2014		

CONFIDENTIAL

Def 001362

1. Job Performance Previous Period

List the major areas of responsibility for this position and briefly describe the employee's performance in each of these areas during the previous period. Success in attaining specific goals and objectives established for the previous period should be discussed.

Major Area of Responsibility	Performance During Previous Period
Commercial Transactions, Contracts and Legal Advice, Litigation Management	Provided legal support and advice on a myriad of issues including settlement agreements, insurance agreements, leases for real property, distribution and supply agreements, master services agreements, nondisclosure agreements, employment-related agreements, compliance issues, environmental issues, bankruptcy, risk management and litigation.
Communication with Japan	Continued good communication with Japan this year, providing direct support to MCHC companies on a number of issues: worked with MTPC on closing out Alpha litigation matters, Noltex on the VAM supply issue, and managed bankruptcy matters for Nippon Kasei, among others. Kept up with regular communications with clients in Japan in a timely manner.
Outside Counsel Management; Projects	Managed outside counsel effectively; worked to find ways to reduce outside counsel costs on all matters, including litigation, bankruptcy, real estate, and Alpha matters.
Compliance	Provided trainings and seminars to MFA, Verbatim and Mytex employees as well as at the MCHA Controllers Meeting. Trainings covered global business issues, and compliance with anti-bribery, antitrust and price discrimination policies and law. Launched the beta-version of the Anti-Bribery Compliance Training Manual to Verbatim and MFA and did a Bribery Risk Assessment of all North American affiliates.
Training, Mentoring, Supervising	Provided support and guidance to Kazuhiro Kishiyama and began supervising and mentoring Maiko Usami.

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2. Knowledge and Skills Application

In addition to overall performance during the previous period related to job responsibilities, every employee has demonstrated the use of specific skills in performing their job. Use this area to judge the overall application of these skills and comment in specific detail on any topics related to the following areas that deserve mention either because of outstanding performance or further developmental needs. Indicate in the appropriate box the level of proficiency for each area: "-" means needs improvement; "=" means performs acceptably; and "+" means exhibits outstanding levels of proficiency.

Skill and Knowledge Area	Level of Proficiency		
	-	=	+
1. Planning, Organizing, and Executing			
2. Problem-Solving/ Decision Making			
3. Job Knowledge			
4. Communication Skills			
5. Leadership/ Development of Others			
6. Compliance and Ethics			

3. Comments

Jennifer's ability to manage a broad range of legal matters continues to grow. Jennifer worked on a number of on-going projects: she took over the management of the HIV/HCV litigation wind-down and settlement of the Israeli litigation from outside counsel, leading to a reduction in outside legal fees for Alpha; she successfully concluded the NJ AWP litigation; she continued to support the Mytex-Chemtrusion relationship; she led and completed the settlement negotiations of the property damage issues with the landlord and negotiated a complex pollution insurance policy on behalf of USRO; she successfully concluded two employment investigations at Mytex; and she oversaw the acquisition of the neighboring property in Bellevue on behalf of MCPP. In addition, Jennifer continued her support of the acquisition of property and construction of a new facility in Brazil, continued her post-acquisition support of MCPP, and led an investigation into allegations of fraud and misrepresentation by the former owners of the Warren business. In addition, Jennifer continued as lead counsel in support of several MCHC affiliates in North America, including, MFA, MCPP, Mytex, Yupo, MEPA and MPCA, providing legal advice on a range of issues, such as antitrust, real estate, environmental compliance, employment, supply and distribution, and other matters on a daily basis.

In 2014, Jennifer worked on maintaining her objectivity in managing critical investigations and claims. She conducted two employment investigations to successful conclusion. She organized and carried out an in depth investigation of a whistleblower and retaliation complaint and negotiated a settlement with a former employee for a sum substantially lower than the former employee originally demanded. She also led and oversaw an investigation of discrimination claims by another employee and was able to close the investigation without further concerns being raised.

In May 2014, Jennifer began supervising Maiko Usami. Jennifer will be responsible to coordinate and review all of Maiko's work, helping her understand the requests for assistance from others in MCHA and other departments.

Jennifer has demonstrated an ability to handle many complex matters at once. She is hard working and absorbs additional responsibility without hesitation or complaint. She is accessible, generally responding immediately to clients. She provides meaningful communication to and is supportive of her clients, her colleagues and the department. My confidence in her ability to manage matters on her own continues to grow. She has good instincts and consistently demonstrates excellent judgment in providing advice. In 2014, Jennifer should increase her ability to work as part of a team to more effectively serve her clients' needs and the needs of the group.

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4. Overall Level of Performance

Based on the previous year's performance, the most accurate general description of this individual's job performance is:

- ☐ Exceeds Expectations: Regularly makes contributions of great value to the company, showing innovation, creativity, and independent action. Is recognized as a leader by others in the organization and frequently goes beyond the norm of usual job performance in this position.
- ☐ Meets Expectations: Job Performance is that of a fully experienced person in this position. Meets all requirements of the position and occasionally may make contributions beyond what is normally expected. Is a solid performer within the organization.
- ☐ Does Not Meet Expectations: Further improvement is needed in order to be considered as fully performing the requirements of this position. Improvement may come as the result of further experience and/or training, in the case of a newer employee, or in the form of more closely meeting organizational performance parameters, in the case of a more experienced employee.

5. Development Plan

Compliance and Ethics: CLE programs on best practices in FCPA compliance, antitrust and cross-border risks.

Leadership and management: Supervision of Maiko Usami and legal externs. Legal Skills: CLE programs on M&A and employment law.

Relationships with Japanese Affiliates: Jennifer should visit Japan if an opportunity arises.

6. Employee Comments

Admittedly, the first half of fiscal and calendar 2014 was not filled with big M&A deals like the prior two years, but nonetheless, I was busy and accomplished a lot. It was still a year of growth and opportunity – not just for me personally, but for the department as a whole and for MCHA as well. We welcomed two new lawyers and a new legal trainee to the department; providing me with a new leadership role. We also welcomed several new businesses into the MCHA services group; providing me with an opportunity to show these new businesses that they can rely (some for the first time) on in-house legal support at a low cost. I have enjoyed both new opportunities.

Notwithstanding there was no “adrenaline” projects this year, I have been responsible to support several of the largest of the NA affiliates; some who have of the most day to day legal needs, and I consistently work to do it efficiently and in a manner that reduces risk and cost to those businesses. Among others, I am primarily responsible for MFA and the growing MCPP (both power users of legal support), as well as provide the daily management of the USRO and Alpha litigations. As seen above, we settled several long-standing litigations, not because outside counsel had great ideas to settle, but because I did the risk and cost analysis of staying in the litigation and fighting vs. the costs to settle and I chose to settlement because it would ultimately save the company a lot of money. Every day I am confronted with complex and not so complex legal issues and I make sure that each client I work with understands what the issue is, what the risk is and what a good business solution can be for him/her to accomplish the company's goals.

Taking the earlier suggestion of maintaining my objectivity and staying focused on the result we want, I was able to objectively investigate and successfully manage to close the two employment issues at Mytex, avoiding substantial cost to the company.

Def 001365

For my personal project, I educated dozens of employees and company leaders on corruption and bribery risks and regulations, including explaining different cultures and countries we do business in so that they have a better understanding of how to manage such risks. I also launched the Anti-bribery Compliance Manual after years of work and rework (with lots of good suggestions) to two businesses successfully. This will continue into the second half of the FY2014 and next calendar year.

In the department, I have consciously tried to assume a leadership role and sought every opportunity I could to lead the junior members and not so junior members of our now larger department. When Donna left our department meetings a few times after announcing a project or idea for the rest of us to discuss, I immediately assumed control of the meetings and sought input from everyone. I then coordinated the proposals among all of us and reported the outcome. Specifically, with respect to the document management system, I made sure that we left every meeting with another meeting or deadline scheduled among us to keep the process moving, and made sure that we were all using the same terms for evaluation, by collecting the information and collating it together for everyone after the meeting. In addition, when Jordon was preparing to leave for paternity leave, on my own initiative, I offered to assist him to alleviate some of the work during this period, not because I had a lot of extra time, but because I recognize that a leader should be the first in line in assisting others to be successful, when they might need a little extra help.

With respect to managing Maiko, I try and meet with her several times each week or as necessary, to review her work, assist her in understanding the expectations of others and to give her a basic understanding of the law in the US. When I have meetings, I invite her to them so that she can get an understanding of the issues or concerns that I am interested in when I review a contract or discuss a legal issue with a client. This will help her learn to assess risks on her own and be more successful and efficient in her job.

While I enjoy the big crazy projects because they provide a certain amount of energy and adrenaline, I think that the introduction of so many new businesses into the MCHA services arena has definitely kept me challenged and inspired to produce meaningful work product and grow relationships in the first half of this year. I am looking forward to continuing to broaden the Legal Department's reach across the affiliates, the possibility of leading an internal deal team if we get the chance to do a small M&A deal, continuing the roll out of the Anti-Bribery Compliance Manual to the rest of our affiliates and providing other compliance trainings (maybe to some of our new businesses) in the second half of FY'14 (2015).

Employee Signature: _____ Date: _____

Signature of Manager or Supervisor: _____ Date: _____

7. Goals and Objectives

List below specific goals and objectives related to the employee's job that can be mutually agreed to by the employee and his or her supervisor for the coming year. Goals and objectives should be (1) reasonable and attainable; (2) measurable, if possible; (3) consistent with broad goals for the company.

Specific Goal or Objective	Target Date for Completion
Continue to provide effective proactive legal advice	Ongoing
Continue to assess and help the businesses manage risk and litigation	Ongoing
Continue to supervise and mentor Maiko Usami	Ongoing
Continue to provide annual training on important compliance issues	Ongoing; January 2015 MPCA; Dianal? Noltex? Qualicaps? (January 2015 – April 2015); Verbatim SA (April 2015)
Conduct compliance investigations and provide resolutions	Ongoing
Provide independent and objective legal perspective	Ongoing
Continue Roll Out of Anti-Bribery Compliance Manual and support implementation at NA businesses	January 2015-June 2015

Employee Signature _____ Date: _____

Supervisor Signature _____ Date: _____